COMPLETED

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HOUSE OF REPRESENTATIVES

REPORT
99-522

MOUNTAHA BOU-ASSALI SAAD

APRIL 9, 1986.—Committed to the Committee of the Whole House and ordered to be printed

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Mr. MAZZOLI, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 3365]

The Committee on the Judiciary, to whom was referred the bill (H.R. 3365), for the relief of Mountaha Bou-Assali Saad, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Line 9, after the word "naturalized" strike all that follows and insert in lieu thereof:

> within two years after the date of enactment of this Act. *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, be deposited.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive provisions of the naturalization laws relating to English language and knowledge of United States History and Government. The amendment provides for the posting of a bond and requires relief be sought within two years of enactment.

STATEMENT OF FACTS

The beneficiary of this bill is a 74 year old native and citizen of Lebanon who immigrated to the United States in 1976. She submitted a petition for naturalization in 1981 which was rejected due to inability to read and write English. She has two U.S. citizen sons and one citizen daughter. The interested party, her son, claims assets of $246,000.

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The Committee notes there are few precedents waiving knowledge of U.S. History and Government, but due to the advanced age of the beneficiary and her strong desire to become a citizen, this case is deserving of special relief.

The pertinent facts in this case are contained in a letter dated May 4, 1982 and April 8, 1983, from the Commissioner of the Immigration and Naturalization Service to the Chairman of the Committee on the Judiciary regarding a bill then pending for the relief of the same person. That letter and accompanying memorandum read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, May 4, 1982.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 3315) for the relief of Mountaha Bou-Assali Saad, there is attached a memorandum of information concerning the beneficiary.

The bill would waive the provisions of the Immigration and Nationality Act which exclude aliens from naturalization who are unable to demonstrate a knowledge and understanding of the English language and the history, principles, and form of government of the United States. It further provides that the beneficiary may be naturalized if she otherwise meets the requirements of the Immigration and Nationality Act.

Sincerly,

For the Commissioner,
DAVID DIXON,
Assistant to the Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE H.R. 3315

The beneficiary, Mountaha Bou-Assali Saad, a native and citizen of Lebanon, was born on November 22, 1912. She completed four years elementary education in Lebanon. Her parents are deceased.

The beneficiary entered the United States on December 8, 1974 at New York, New York as a temporary visitor for pleasure. Her status was adjusted to that of an alien lawfully admitted for permanent residence at Pittsburgh, Pennsylvania on March 25, 1976 based on an approved immediate relative visa petition filed by Naime Joseph, her United States citizen daughter. The beneficiary has resided in Huntington, West Virginia continuously since entry. She has never been employed in the United States.

The beneficiary married Toufic Saad, a native and citizen of Lebanon, in Lebanon on November 15, 1930. He died on July 14, 1973. She has seven children, all of whom were born in Lebanon: Eva McKarrus, born on August 16, 1931; Naime Joseph, born on November 22, 1932; Ayoub Saad,

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born on February 11, 1934; George Saad, born on May 6, 1938; Daniel Saad, born on September 19, 1941; Julian Saad, born on March 21, 1944; Edward Saad, born on November 6, 1948. Eva is a Canadian citizen residing in Canada. Naime became a naturalized United States citizen on May 1, 1959. She resides in Huntington, West Virginia. Ayoub, Daniel, and George are Lebanese citizens residing in Lebanon. Julian became a naturalized United States citizen on May 12, 1976. He resides in Huntington, West Virginia. Edward became a naturalized United States citizen on November 23, 1976 and is also residing in Huntington, West Virginia. None of her children have served in the United States military. The beneficiary has an annual income from Social Security of $1,896. She resides with her son, Julian, and is otherwise supported by her three United States citizen children. She has not other assets.

In March 1981, the beneficiary submitted an application to file petition for naturalization. The application was rejected because she is unable to read, write, and speak English. The beneficiary desires to be naturalized despite these literary deficiencies.

The interested party, Julian Toufic Saad, a native of Lebanon and citizen of the United States, was born on March 21, 1944. He completed fifteen years education in Lebanon and holds a Bachelor of Science Degree in Electrical Engineering. He married Jihad Saad on September 28, 1974 in Lebanon and they have four children, all United States citizens. They all reside with the beneficiary in Huntington, West Virginia. Mrs. Saad became a naturalized United States citizen on May 14, 1980.

The interested party entered the United States on May 8, 1969 at New York, New York as a temporary visitor for pleasure. His status was adjusted to that of an alien lawfully admitted for permanent residence on April 15, 1970 at Pittsburgh, Pennsylvania based on an approved immediate relative visa petition filed by Naime Joseph, his United States citizen sister. He naturalized as indicated above.

The interested party is employed in Huntington, West Virginia as a Quality Control Manager earning $30,400 per year. He claims assets of about $245,500, including $5,000 money on deposit, $37,500 cash value life insurance, $175,000 real estate owned, $8,000 vehicles owned, $20,000 other personal property. His liabilities total approximately $67,000, including $1,500 notes payable, $62,000 real estate mortgages, $3,500 installment loans.

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U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, April 8, 1983.

A20 850 708.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This refers to H.R. 936 in behalf of Mountaha Bou-Assali Saad, who was also the beneficiary of H.R. 3315, 97th Congress.

The interested party, Julian Toufic Saad, who is the beneficiary's son, reported that the beneficiary now receives about $2,250 per year in Social Security benefits. The interested party is still employed as an electrical engineer with Hubbell, Inc., earning about $30,530 per year.

Sincerely,

For the Commissioner,
MARVIN T. ELY
(For Greg Leo, Acting Director, Congressional and Public Affairs).

The following is an updated report for the 99th Congress on H.R. 3365:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, October 31, 1985.

A20 850 708.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This refers to H.R. 3365 in behalf of Mountaha Bou-Assali Saad, who was also the beneficiary of H.R. 936, 98th Congress.

The interested party, Julian Toufic Saad, who is the beneficiary's son, advised that, as of September 1, 1985, he has been employed as an electrical engineer with Service Machine Company, earning about $31,500 per year.

Sincerely,

For the Commissioner,
MARVIN T. ELY
(For Greg Leo, Director, Congressional and Public Affairs).

Mr. Rahall, the author of the bill, provided the following statement in support of this legislation.

STATEMENT OF CONGRESSMAN NICK J. RAHALL

Mr. Chairman, I am submitting this testimony to express my strong support for H.R. 3365, a bill which I have introduced on behalf of Mountaha Bou-Assali Saad. The purpose of this legislation is to waive the English language requirement for U.S. citizenship for Mrs. Saad.

Mrs. Saad immigrated to the United States from Lebanon; she was admitted to the U.S. as a lawful permanent resident on March 25, 1976. She is now 72 years old.

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Because of her age, Mrs. Saad has had difficulty learning the English language. She was 64 years old when she became a permanent resident—as one can well imagine, at such an age it is very difficult to learn our alphabet and language. However, over the years Mrs. Saad has studied with a tutor to improve her language skills and she has learned our history. The only problem she faces is a complete mastery of our language. Although she is able to read and write at a minimum level, it is not enough to pass the test for citizenship.

Due to her deep love for our country, Mrs. Saad fervently wishes to become a citizen of the United States. I feel that she should be given that opportunity and the chance to participate in our governing processes. I am certain that Mrs. Saad looks forward to the day when she can take on the responsibilities of citizenship with great anticipation.

Again, I would like to express my strong support for this bill and to urge its most favorable consideration by the Subcommittee. Thank you.

BUDGETARY INFORMATION

This legislation does not provide new budget authority and no estimate or comparison has been received from the Director of the Congressional Budget Office.

OVERSIGHT STATEMENT

The Committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

COMMITTEE RECOMMENDATION

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 3365, as amended, should be enacted and accordingly recommends that the bill do pass.

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